

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76154 of 2018

Arising Out of PS. Case No.-246 Year-2018 Thana- ITARHI District- Buxar

Chhotu Rai @ Vikas Rai son of Lalji Rai @ Lal Bahadur Rai, resident of Civil Line, Buxar, P.S. Buxar (Town), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Sri Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 19-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Itarhi P.S. Case No. 246 of 2018** registered for the offence punishable under Section 412 of the Indian Penal Code and under Section 25(1-b)a, 26 and 35 of the Arms Act.

Informant who is a police officer has alleged that while checking vehicle three persons tried to flee away but they were apprehended after chase and from the possession of one accused one country made pistol was recovered whereas from the possession of petitioner Rs.21,960/- and Rs.10,000/- was recovered from other co-accused and they did not have any satisfactory explanation regarding the said money.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. No



incriminating material has been recovered from the possession of petitioner. Petitioner has got no criminal antecedent and is in custody since 15.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M.- II, Buxar** in connection with **Itarhi P.S. Case No. 246 of 2018** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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